

REMARKS

This Response responds to the Office Action dated December 29, 2004.

The Examiner rejected claims 1-12 under 35 U.S.C. § 102(a) as being unpatentable over the combination of Boyer et al., U.S. Patent App. Pub. No. 2003/0066085 and Lawler et al., U.S. Patent No. 5,907,323. The Examiner's rejection is improper because the proffered combination fails to disclose all limitations claimed in each of the rejected claims.

Independent claim 1 claims a "method of creating a semantic summary of a video" and includes the steps of "identifying a domain of said video," using that domain to locate information related to the video "at a source other than said video," extracting from the information "a datum related to a semantic event ... describing a portion of said video," "identifying [the] portion of ... video related to said datum" and displaying to a user "summary information relative to said portion of said video." As will be specifically detailed below, these claim limitations are not disclosed by the cited combination.

(a) "identifying a domain of said video"

The Examiner is apparently reading the term "domain" as a location by which a video is accessed. For example, the Examiner asserts that this limitation is disclosed by Boyer et al. at FIG. 17, which shows a programming guide displaying a link to a "Primal Fear" video. This interpretation is not viable in view of applicant's specification, which uses the term to describe a category of the video, e.g. sports, news, movies, soccer, etc. *See Specification at pp. 4-5.* Thus, while Boyer in fact discloses a programming guide that lists video programs by such domains, the identification of a video domain by a user of Boyer's programming guide is not part of a

method to create a video summary, since the video summary has already been made before the user ever views the programming guide.

(b) “using said domain to locate information related to said video at a source other than said video”

The Examiner contends that this limitation is disclosed by Boyer et al. at paragraphs 65 and 105, which indicates that program information related to the show “Primal Fear” is stored at a data server 82 accessible through the programming guide. Given the Examiner’s interpretation of the claim term “domain” to include the programming guide of Boyer et al., this is a rational assertion because the programming guide is used to locate program information for specific videos. However, the applicant notes that by contending that the program information pertaining to a video, such as Primal Fear, is the “information” claimed in this limitation, none of the remaining contentions of the Examiner are reasonable, as explained below.

(c) “extracting a datum related to a semantic event from said information, said semantic event describing a portion of the video”

The Examiner contends that, except for the semantic event describing a portion of the video, Boyer et al. discloses the remainder of this limitation. The Examiner asserts that the claimed “datum related to a semantic event” reads on Boyer et al.’s program information for the show “Primal Fear.” This is illogical, given the Examiner’s earlier premise that the information from which that datum is extracted, is also the program information for the show “Primal Fear.” The Examiner seems to be taking the irrational position that Boyer et al. discloses the step of extracting “program information” from “program information.”

(d) “identifying said portion of said video related to said datum”

The Examiner continues with this paradoxical analysis, asserting that the “portion of said video” related to the program information for Primal Fear that is being identified, is once again “program information” relating to “Primal Fear” (such as title, running time, etc.). Thus, the Examiner is now contending that a user of Boyer et al.’s programming guide, after locating program information for the video “Primal Fear” from the programming guide (domain), then extracts program information from that program information to identify program information for the video “Primal Fear.” Even setting aside this circular reasoning, the contention that archival or statistical information such as a program’s title and running length are a “portion of a video” of that title is unreasonable.

(e) “displaying summary information relative to said portion of said video to a user”

Once again, since the Examiner has previously defined the claimed “portion of a video” as program information for Primal Fear, the assertion that the claimed “summary information” is also program information for Primal Fear is unreasonable. If, as the Examiner has previously asserted with respect to claim limitations (b)-(d), program information for the show Primal Fear is already on display to a user, from which the user extracts a datum and uses that datum to identify a portion of the video related to the datum, the “portion of the video” cannot reasonably be interpreted as “program information for Primal Fear” because the user has already been looking at that information.

Essentially, the Examiner’s rejection is based on the assertion that each “thing” described in limitations (b) through (e) of independent claim 1 can be interpreted broadly enough to read on the program information for Primal Fear disclosed by Boyer et al. Even if this were true, the Examiner’s rejection is improper because taking this position means that the claimed *steps*

described in limitations (b) through (e) -- (e.g. "identifying said portion of said video related to said datum") -- would not be disclosed under that interpretation.

Finally the Examiner acknowledges that with respect to claim limitation (c) of independent claim 1, "extracting a datum related to a semantic event from said information, said semantic event describing a portion of the video," Boyer et al. fails to disclose a semantic event describing a portion of a video. The Examiner contends that this limitation is disclosed by Lawler et al., U.S. Patent No. 5,907,323. The Examiner is apparently seizing upon Lawler's use of the term "episode" of a video to infer that the title or other information displayed by Lawler's programming guide pertains to a portion of a video rather than the video as a whole. This assumption is incorrect. Lawler discloses a programming guide that displays various programs available for viewing, some of which may be specific episodes of a TV series, for example. Thus, when Lawler et al. discloses a preference that any program information such as the show's title, running length, etc., displayed when a user highlights the program, be specific to that highlighted episode, Lawler et al. is not disclosing that the title or other information pertains to a portion of the video of the episode. Instead Lawler et al. is merely disclosing that the information be specific to the video as opposed to the series of which the program may be a part. Thus neither cited reference discloses the limitation a semantic event describing a portion of a video.

For the foregoing reasons, independent claim 1, along with its dependent claims 2-6, are each patentably distinguished over the cited combination of Boyer et al. and Lawler et al. The Examiner's rejection of these claims should therefore be withdrawn.

The Examiner rejected independent claims 7, 11, and 12 under 35 U.S.C. § 103(a) as being obvious in view of the same combination of Boyer et al. and Lawler et al. used to reject independent claim 1. The Examiner's rejection, like that of claim 1, relies upon (1) an unreasonable claim interpretation where each of multiple claim terms is viewed as reading upon Boyer et al.'s "program information" such that the claimed steps in each of claims 7, 11, and 12 would not be disclosed by Boyer; and (2) an interpretation of the term "episode" in Lawler et al. that is unsupported by the text of that reference. Thus the Examiner's rejection of independent claims 7, 11, and 12, along with dependent claims 8-10, is improper for the same reasons that were discussed with respect to independent claim 1. Therefore, the Examiner's rejection of claims 7-12 should also be withdrawn.

In view of the foregoing remarks, the applicant respectfully requests reconsideration and allowance of claim 1-12.

Respectfully submitted,

  
\_\_\_\_\_  
Kurt Rohlfs  
Reg. No. 54,405  
Tel No.: (503) 227-5631